



National Personnel Records Center

Military Personnel Records, 9700 Page Avenue St Louis, Missouri 63132-5100

January 26, 2006

BEASLEY ALLEN
PORTIS & MILES PC
BOX 4160
MONTGOMERY, AL 36103

RE: Veteran's Name: WRIGHT TERRY
SSN/SN: 416601247
Request Number: 1-1168342000

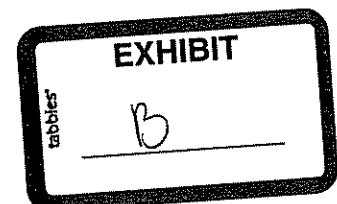
Dear Sir or Madam:

Thank you for contacting the National Personnel Records Center. Unfortunately, your request must be returned without action because it did not include the signed consent of the individual whose records are involved and your court order/subpoena does not meet the requirements as outlined below.

Access to military or civilian personnel and medical records on file at the National Personnel Records Center, St. Louis, Missouri, may be gained pursuant "to the order of a court of competent jurisdiction." Valid court orders should be addressed to this Center. Subpoenas qualify as orders of a court of competent jurisdiction only if they have been signed by a judge. To be valid, court orders must also be signed by a judge. Authority for these requirements is 5 U.S.C. 552a (b)(11), as interpreted by Doe vs. DiGenova, 779 F. 2d 74 (D.C. Cir. 1985), and Stiles vs. Atlanta Gas and Light Company, 453 F. Supp. 798 (N.D. Ga. 1978).

Please furnish the address of the clerk of the court so that photocopies may be furnished in the form of a certificate under seal to the clerk of the court issuing the order. Or, the photocopies may be sent to a recipient other than the clerk of the court as long as the order of the court names another recipient and gives the appropriate address. Under applicable Federal law, photocopies so certified shall be admitted into evidence as original records 44 U.S.C. Sec. 2116(b). It is also helpful to furnish the names and addresses of attorneys involved.

The court order must describe the records and information desired in sufficient detail to identify them with accuracy. A minimum of detail would include as many of the following as possible: the complete name, service number, social security number, date of birth, branch of service or Federal agency by which employed, and dates of military service (active, reserve, or retired) or of Federal employment. If clinical treatment records are needed, include also the dates, places, and type(s) of treatment given.



The court order should be addressed and sent by mail to either of the following addresses, as appropriate:


Director
National Personnel Records Center, NARA
(Military Personnel Records)
9700 Page Avenue
St. Louis, MO 63132-5100

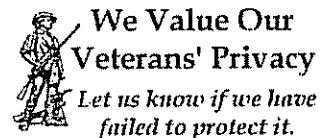
Director
National Personnel Records Center, NARA
(Civilian Personnel Records)
111 Winnebago Street
St. Louis, MO 63118-4199

As an alternative to obtaining a court order, you may obtain certified copies of military or civilian personnel and medical records by providing the signed and dated release authorization of the subject of the record. The Privacy Act of 1974 provides for the release of information only with the written consent (signature) of the individual to whom the records pertain. While the Privacy Act does not apply to the records of deceased individuals, Department of Defense instructions indicate that in such cases we must have the written consent of the next of kin. For purpose of release, the next of kin is defined as any of the following: unremarried widow or widower, son, daughter, father, mother, brother or sister. The release authorization must be dated within the last year and must state specifically that the documents may be released to you.

If you have questions or comments regarding this response, you may contact us at 314-801-0800 or by mail at the address shown in the letterhead above. If you contact us, please reference the Request Number listed above.

Sincerely,


C. JARRETT
Archives Technician (4C)



Enclosure(s)